THE HON'BLE SRI JUSTICE V.ESWARAIAH

W.P.No.5198 of 2006

Dt.23.3.2006

Between:

Shaik Zahara Bee … Petitioner

And

The District Collector, Chittoor

And another

…Respondents

ORDER:

Petitioner questions the action of the respondents in acquiring the petitioner's schedule property of an extent of Ac.3.00 in Sy.No.557 (old Sy.No.7/1) of B.K.Palle Revenue village, Madanapalle Mandal, Chittoor District, without following the due procedure and without acquiring the same by due process of law, as illegal and arbitrary.

The case of the petitioner is that the schedule property situated in Sy.No.557 (old Sy.No.7/1) to an extent of Ac.3.00 at B.K.Palle

Revenue Village, Madanapalle Mandal, Chittoor District, was assigned in favour of the husband of the petitioner on 21.11.1978. After the death of her husband, the petitioner being the legal heir is in continuous possession and enjoyment of the same. It is stated that Sy.No.7/1 is changed to Sy.No.557. It is stated that the said land is sought to be taken away without following the due process of law.

Heard the learned counsel for the petitioner and the learned Government Pleader for Revenue.

The learned Government Pleader, on instructions, submits that the respondents have to initiate land acquisition proceedings and it is incorrect to state that without following the due process of law the petitioner is threatened to dispossess from the said land.

Having regard to the facts and circumstances of the case and in view of the aforesaid submission made by the learned Government Pleader that land acquisition proceedings are yet to be initiated, the respondents are directed not to dispossess the petitioner without following the due procedure prescribed under law.

The writ petition is accordingly disposed of. No order as to costs.

V.ESWARAIAH, J.

23.3.2006

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